BELLEVUE TRACT

BOX

INDEX No.

THIS ABSTRACT MUST BE RETURNED AT ONCE TO JAMES A. CLAYTON & CO.

ABSTRACT OF TITLE

OF PROPERTY OF

L. J. Davesoul.

47

Abstract of Title

and list of

Incumbrances

On Lot 14 Block 2

Bellevue Tract

SANTA CLARA COUNTY

STATE OF CALIFORNIA

DATED Oct 25. 1906.

MADE AT REQUEST OF

Garden City Abstract Company

ABSTRACT NO. 47

Garden City Abstract Co.

97/233

Abstract of Title

and

Certificate of Search

As shown by the Records of the County of Santa Clara, State of California, as to the lot of land situate in said County and State, bounded and described as follows, to wit:

Lot Number Fourteen (14) in Block Two (2) of the Bellevue Tract according to that certain map of record at page 83 Book "B" of Maps, Records of Santa Clara County.

Subsequent to February 18, 1889,

at Nine o'clock A.M.

Garden City Abstract Company
San Jose, California.

I N D E X .

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S.M. SHORTRIDGE	DEED
C.W. BREYFOGLE	DATED: April 8, 1889.
L.J. CHIPMAN	WITNESS: Wm. F. Foss.
C. A. STOCKTON	ACKNOWLEDGED: April 8, 1889.
Signed: Samuel M. Shortridge	BY: Samuel M. Shortridge.
C. W. Breyfogle	BEFORE: E.M. Rosenthal N.P.
L.J. Chipman	ACKNOWLEDGED: April 17,1889.
C. W. Stockton	BY: C.W. Breyfogle,
	L.J. Chipman and
— TO —	C.A. Stockton.
	BEOFRE: Wm. F. Foss N.P.
W. F. CHIPMAN	RECORDED: April 18,1889.
	LIBER: 113 of Deeds p.482.
	CONSIDERATION: $10.00.

Do remise release and forever quit claim unto said party of the second part and to his heirs and assigns all that certain lot of land situate in the County of Santa Clara, State of California, and bounded and described as follows, to wit:

Begining at a 4 x 4 stake marked R 2 standing at the common corner of land of J. Webb and Ford in the Westerly line of the Monterey Road said point being also the northermost corner of J. Webb's land, and running thence along the West line of said Monterey Road N 39° W 10.315 chains to a 4 x 4 stake,thence leaving said road and running at right angles to the last cooner S 51° W 13.36 chains to a stake marked 1 standing in the fence line between lands of Ford and T. G. Negus_ along said fence line S 38 1/4° E 10.666chains to a stake marked R 1 standing at the common corner of a fence and at the Easternmost corner of said Negus land thence N 39° 13' E 5.35 chains and

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N 49° 50' E 8.24 chains to the place of begining.

Containing 14.10 acres of land and being a part of 500 acre lot No. 5 South of the Pueblo of San Jose, Courses true Var. 17° E. said tract being known and recorded as the Bellevue Tract.

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A. B. MC NEIL Of the County of Santa Clara — TO — W. F. CHIPMAN Of the same place	DEED DATED: March 14, 1893 WITNESS: Chas. F. Wilcox ACKNOWLEDGED: March 15, 1893 BEFORE: Chas. F. Wilcox N.P. RECORDED: March 16, 1893 LIBER: 158 of deeds p. 155 CONSIDERATION $10.00

Do remise release and forever quit claim unto the said party of the second part and to his heirs and assigns all that certain lot of land situate in the County of Santa Clara, State of California, and bounded and described as follows, to wit:

Begining at a 4 x 4 stake marked R 2 standing at at the common corner of land of J. Webb and Ford in the Westerly line of the Monterey Road, said point being also the Northermost corner of J. Webb's land and running thence along the Westline of said Monterey Road N 39° W 10.315 chains to a 4 x 4 stake, thence leaving said road and running at right angles to the last corner S 51° 36 chains to a stake marked 1 standing in the fence line between lands of Fords and T. G. Negus_ along said fence line S 38 1/4° E 10.665 chains to a stake marked R 1 standing at the corner of a fence and at the Eastermost corner of said Negus land, thence N 49° 13' E 5.35 chains and N 49° 51' E 8.24 chains to the place of begining.

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Containing 14.10 acres of land and being a part of Ford's land in 500 acre lot No. 5 South of the Pueblo of San Jose Courses true. Var. 17° E.

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W. F. CHIPMAN of the County of Santa Clara —— TO —— PHEBE P. CUBERY of the City and County of San Francisco.	DEED. DATED: January 26, 1889. ACKNOWLEDGED: February 12, 1889. BEFORE: Guy H. Salisbury, N. P. RECORDED: February 18,1889. LIBER: 111 of Deeds page 411 CONSIDERATION: $10.00.

Does grant, bargain and sell, convey and confirm unto said party of the second part and to her heirs and assigns forever, all that certain lot of land situate in the County of Santa Clara, State of California, described as follows, to wit:

Being Lot 14 in Block 2 of the Bellevue Tract according to that certain map of record at Page 83 Book "B" of Maps, Records of Santa Clara County.

(The foregoing deed contains no habendum clause.)

Garden City Abstract Company
San Jose, California.

IN SUPERIOR COURT OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

IN THE MATTER OF THE ESTATE —— OF —— PHEBE PALMER CUBERY Deceased.	DECREE OF DISTRIBUTION. DATED: November 13, 1899. CERTIFIED to be a correct copy June 29, 1904. BY: John P. Cook, County Clerk of Alameda County by Chas. A. Gale, Deputy Clerk. RECORDED: October 15, 1906. LIBER: 312 of Deeds page 38.

William M. Cubery, Executor of the last will and Testament of Phebe Palmer Cubery, deceased, having on the First day of November, 1899, rendered and filed herein a full account and report of his administration of said estate, which account was for a final settlement, and having with said account filed a petition for the final distribution of the estate.

And said account and petition this day coming on regularly to be heard, proof having been made to the satisfaction of the Court that the Clerk had given notice of the settlement of said account and the hearing of said petition, in the manner and for the time heretofore ordered and directed by the Court.

And it appearing that said account is in all respects true and correct and that it is supported by proper vouchers that the residue of money in the hands of the Executor at the time of filing said account was $921.30 that since the

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rendition of said account _____ has been received by the _____ that the sum of $_____ has been expended by him as necessary expenses of administration, the vouchers whereof together with a statement of such _____ _____ disbursements, are now presented and filed, and said statement is now settled and allowed, and the payments are approved by this Court: that the estimated expenses of closing the estate will amount to $__ _____ leaving a residue of $921.30 in the hands of said Executor.

And it appearing that all claims and debts against said decedent, all taxes on said estate and all debts, expenses and charges of administration have been fully paid and discharged and that said estate is ready for distribution and in condition to be closed:

That the whole of said Estate is community property: That the following described real estate was filed upon and declared upon as a Homestead in the joint names of said William M. and Phebe Palmer Cubery on the 20th day of July 1896, to wit: the land and premises on which the said declarants then resided, lying and being in said County of Alameda, State of California, and particularly described as follows, to wit: Commencing at a point on the Westerly line of Minturn Street extended, distant thereon 110 feet Southerly from the Southerly line of Railroad Avenue before the same was widened or 100 feet Southerly from the Southerly line of Railroad Avenue since thesame was widened running thence Southerly along said line of Minturn Street extended 37 feet, thence at right angles Westerly 88 feet, thence at right angles Northerly 37 feet, and thence at right angles Easterly 88 feet, to the point of commencement.

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Being lot Number 7 as laid down and delineated on the Map entitled Map of the subdivision of Lot 32 of Fasskin Park, Alameda, filed July 24th, 1891, in the Office of the County Recorder of said County of Alameda, in Liber13 of Maps at page 6, together with the dwelling house thereon and its appurtenances.

That said Phebe Palmer Cubery died testate in the County of Alameda on the 1st day of February, 1898. That her last will and testament was duly admitted to probate in the said Superior Court of the County of Alameda on the 13th day of March, 1899 and is on file in the papers in this matter. That in and by said last will and testament all the property of which said Phebe Palmer Cubery died seized and possessed was devised, given and bequeathed to said William M. Cubery, her husband.

It is further Ordered, Adjudged and Decreed that the said final accounts of the said William M. Cubery be and the same are settled, allowed and approved and that the residue of said estate hereinafter particularly described, and any other property not now known or discovered, which may belong to the said estate or in which the said estate may have any interest, be and the same is hereby distributed as follows:

The whole and every part thereof to the said William M. Cubery as well as all the right, title and interest which the said Phebe Palmer Cubery ever had in and to the said property and estate the same hereby is distributed to the said William M. Cubery.

The following is a particular description of the said residue of said estate referred to in this decree, and

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of which distribution is now ordered as aforesaid:

The sum of Nine Hundred and Twenty one and 30/100 dollars cash on hand in the hands of the Executor.

A certain piece and parcel of land situate, lying and being in the County of Santa Clara, State of California, and bounded and particularly described as follows, to wit: Being Lot 14 in Block 2 of the Bellevue Tract according to and as designated on that certain Map of record in the office of the County Recorder of said County at page 83 in Book B of Maps records of Santa Clara County, together with the Tenements and appurtenances thereunto belonging or in anywise appertaining valued and appraised at the sum and figure of 20 dollars.

And the said Executor hereby is forever discharged from his said trust as said Executor and released from all further liability therefor.

Done in open Court this 13th day of November, 1899.

S. P. Hall,

Superior Court Judge.

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San Jose, California.

WILLIAM M. CUBERY, "single" of the County of San Francisco —— TO —— L. D. BIGGS of the County of Santa Clara.	DEED. DATED: October 29, 1904. WITNESS: Charles Edelman. ACKNOWLEDGED: October 29, 1904. BEFORE: Charles Edelman, N. P. in and for the City and County of San Francisco. RECORDED: October 15, 1906. LIBER: (Not yet spread upon the Record Books) CONSIDERATION: $10.00.

Does grant, bargain, sell, convey and confirm unto said party of the second part and to her heirs and assigns forever, all that certain lot of land situate in the County of Santa Clara, State of California, bounded and described as follows, to wit:

Lot Number 14 Block 2 Bellevue Tract.

Garden City Abstract Company
San Jose, California.

L. D. BIGGS of the County of Santa Clara —— TO —— CARRIE VALENCIA of the County of Santa Clara.	DEED. DATED: April 1, 1905. ACKNOWLEDGED: April 1,1905. BEFORE: W. R. Biggs, N.P. -"whose name is subscribed to the within instrument and -- duly acknowledged to me that he executed the same" etc. RECORDED: October 15, 1906. LIBER: (not yet spread upon the Record Books.) CONSIDERATION: $10.00.

Does grant, bargain, sell, convey and confirm unto said party of the second part and to her heirs and assigns forever, all that certain lot of land situate in the County of Santa Clara, State of California, and bounded and described as follows, to wit:

Lot number 14 in Block 2 of Bellevue Tract according to a map thereof recorded in the office of the County Recorder of Santa Clara County, in Book "B" of Maps at page 83.

The grantee assumes and agrees to pay all taxes that is a lien or to become a lien on said lot.

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CARRIE VALENCIA and CHARLES J. VALENCIA of the County of Santa Clara ——TO—— W. R. BIGGS, Trustee.	MORTGAGE. DATED: March 28, 1905. ACKNOWLEDGED: March 28,1905. BY: Carrie Valencia and Charles J. Valencia, her husband. BEFORE: W. R. Biggs, N.P. RECORDED: March 30, 1905. LIBER: 179 of Mortgages page 28.

Mortgages all that certain piece of land situate in the County of Santa Clara, State of California, bounded and described as follows, to wit:

Lot 14 in Block 2 of Bellevue Tract an addition to the City of San Jose, and as designated in Book "B" of Maps at page 83 of the Records of Santa Clara County.

To secure payment of the sum of $700 three years after date with interest at the rate of 8 per cent per annum payable quarterly etc, as shown by promissory note of even date etc.

Mortgagors agree to paint the building in a reasonable time so as to preserve same, time limited to 30 days, and to plumb the house in a reasonable time, finish up and make it modern in a reasonable time, Time limited to 60 days.

Open Sept 25-07

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Garden City Abstract Company
San Jose, California.

IN THE SUPERIOR COURT OF THE COUNTY OF SANTA CLARA,

STATE OF CALIFORNIA.

In the Matter of the Estate

of

Emily I. Danforth, dec'd.

Estate No. 4676. Reg. page.

1906

Oct 26 Petition of Amanda Miller one of the legatees under the Will of Emily I. Danforth deceased for the appointment of Karl F. Kennedy as Trustee filed. Shows.

That on May 7th 1904 this Court appointed W. R. Biggs sole trustee of the estate of said petitioner Amanda Miller and he qualified as such trustee.

That on October 5th 1906 W. B. Biggs, Trustee of said estate, tendered his resignation as such trustee.

That there is now a vacancy in said Trusteeship of said estate and the beneficiary of said estate will sustain a loss on account of said vacancy unless the same is filed forthwtih.

Therefore, I petition said Court to appoint Karl F. Kennedy trustee for the share of said estate bequeathed to your petitioner Amanda Miller and that he qualify as said trustee.

Amanda Miller,

Petitioner & Beneficiary.

Oct 26 Order entered appointing Karl F. Kennedy Trustee upon giving bond in the sum of $4000.

Min Book 85 page 125.

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SAN JOSE, CAL.

1906	
Nov 2	Bond of Karl F. Kennedy as Trustee in sum of $3000 approved, filed and recorded in Book K Prob Bonds, page 190.
Nov 2	Letters of Trusteeship issued to Karl F. Kennedy and Copy of Letters with oath of Trustee filed and recorded. Book I Letters, page 155.
Nov 2	Receipt of Karl F. Kennedy of the aggregate sum of $2524.84 from W. R. Biggs former Trustee, filed.
1907	
May 31	Order entered that sureties be released upon trustee filing a new bond within 10 days. Min Book 85 page 346.
May 31	Bond of Karl F. Kennedy as Trustee in penal sum of $3000 approved, filed and recorded. Book K Prob Bonds, page 239.

Taxes.

Lot 14, Block 2 Bellevue Tract.

STATE AND COUNTY.

Fiscal Years.

1889 - 90)
)
— to — : Paid.
)
1905 - 6)

1906 - 7 Assessed to Wm. Cubery.

First installment $1.09 unpaid.

Second installment 87 cents unpaid.

JUDGMENT LIENS

None.

The foregoing Abstract of Title dated at San Jose, California, this Twenty-fifth (25th) day of October, A. D. One Thousand Nine Hundred and Six (1906) at Nine o'clock A. M. contains 14 pages numbered from One to 14 inclusive.

GARDEN CITY ABSTRACT COMPANY,

By John L. Greer

Secretary and Manager.

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THE LEONARD SCHOOL LIBRARY
CONSOLIDATED
1902

Continuation of the Foregoing Abstract
as to
The Same Property

NOTHING FURTHER

TAXES

STATE AND COUNTY

Lot 14, Block 2 Bellevue Tract

Fiscal Years

1906-1907 Paid

1907-1908 Now a Lien

NO JUDGMENT LIENS

The foregoing CONTINUATION consisting of pages 15 and 16 made at SAN JOSE, CALIFORNIA, SEPTEMBER TWENTY-FIFTH, 1907 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY,

By J. C. Edwards

Manager